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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/916,923	07/26/2001	Jed M. Barker	LCB 373	8769

7590 04/08/2004

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EXAMINER

FEILD, LYNN DIANA

ART UNIT PAPER NUMBER

2839

DATE MAILED: 04/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/916,923

Applicant(s)

BARKER ET AL.

Examiner

Son V Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 December 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 and 18-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 and 18-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

Allowable Subject Matter

The indicated allowability of claims 1-16 and 18-31 are withdrawn in view of the newly discovered reference(s) to Standish et al. (US 6,600,106) and Caveney (US 6,614,978).

Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-16, 18-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Standish et al. (US 6,600,106) in view of Puetz (US 5,734,776).

Regarding claims 1-8, 10, 12-16 and 18-29, Standish et al. discloses a patch panel [figure 2] mountable to a network rack [figure 2], comprising:

- a patch panel frame [100] with a central section [110] and having a longitudinal width sized to fit within the rack [column 2, lines 27-30], a predefined height, a front side, a rear side, and rack mounting plates [224, 226] provided on opposite longitudinal ends of the central section;

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- wherein the central section [110] divides the patch panel into two panel sections on either side of a separator portion [213], the two panel sections receive a plurality of fiber optic cable connectors in connector locations or faceplate openings by snap fitting [120, column 2, lines 33-37], each of the connectors inherently has a horizontal axis and the separator portion inherently provides clearance between the connectors mounted in the panel sections on either side;
- a cable support bar [150]; and
- twelve faceplate openings provides in the central section.

Standish et al. discloses the instant claimed invention as described above except for the two panel sections being angled in an inverted V-shape and the rear faces of the connectors face to a common axis of the central section, and each of the angled panel sections relative to the other by an obtuse angle, and the angle is between 90° - 180° , between 100° - 140° , and between 110° - 130° .

Puetz is relied upon to show two panel sections [50a', 50b'] for mounting a plurality of connectors angled outwardly in an inverted V-shape and rear faces of a plurality of connectors face to a common axis of the central section [figure 4], each of the angled panel sections relative to the other by an obtuse angle, the obtuse angle is about 120° and it reads on applicant claimed the obtuse angle is between 90° - 180° , between 100° - 140° , and between 110° - 130° .

It would have been obvious to one having ordinary skill in the art at the time invention was made to provide the angled panel segments so that the rear faces of the connectors face to the

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common axis of the central section of Standish et al. in order to provide increased surface area for the connectors as taught by Puetz.

3. Regarding claims 9 and 11, Standish et al. in view of Puetz discloses the instant claimed invention as described above except for the module receives four or twelve cable connectors. It would have been an obvious matter of design choice to provide four or twelve cable connectors mounting on the module depends on the number of cable are used in the interconnecting system, since such a modification would have involved a mere change in the size or quantity of a component. A change in quantity is generally recognized as being within the level of one of ordinary skill in the art.

4. Claims 30-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Standish et al. in view of Puetz and further in view of Caveney (US 6,614,978).

Standish et al. in view of Puetz discloses the instant claimed invention as described above except for a vertical cable manager located adjacent to the rack so that the cable on the front side of the panel frame flows substantially horizontally within the predefined height of the panel frame to the vertical cable manager or horizontally towards a vertical plane that intersects one of the rack mounting plates and is perpendicular to the horizontal axis extending between the rack mounting plate.

Caveney [figure 5] is relied upon to show a vertical cable manager located adjacent to the rack so that the cable on the front side of the panel frame flows substantially horizontally within

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the predefined height of the panel frame to the vertical cable manager or horizontally towards a vertical plane that intersects one of the rack mounting plates and is perpendicular to the horizontal axis extending between the rack mounting plate.

It would have been obvious to one having ordinary skill in the art at the time invention was made to provide the vertical cable manager in the device of Standish et al. in order to facilitate guiding and retaining the cables as taught by Caveney.

Response to Arguments

5. Any inquiry arguments with respect to claims 1-16 and 18-31 have been considered but are moot in view of the new ground(s) of rejection. During interview on 3/23/2004, the claims 1-16 and 18-31 are not allowable based on the rejection as described above. Inconvenience to the applicant is regretted.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Belaidi et al. (US 6,565,260), Below et al. (US 5,127,082), Magenheimer (US 5,921,402) and Follingstad et al. (US 6,468,112), show the alternative designs of the patch panels.

7. Any inquiry concerning this communication or earlier communications from the examiner

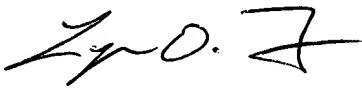
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should be directed to Son V Nguyen whose telephone number is (571) 272-2097. The examiner can normally be reached on 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild can be reached on (571) 272-2092. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

sn

April 2, 2004


LYNN FEILD
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2839